

Leoni Township Office
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ZBA MINUTES March 11, 2024

The Leoni Township Zoning Board of Appeals held a meeting Monday, March 11, 2024, @ 6:00 PM, 913 Fifth Street, Leoni Township Meeting Hall, Michigan Center, Michigan.

The Meeting was called to order at 6:00 P.M.

Members Present: Vern Beckwith, Keith VanPoperin, Don Gibson, Rae Fruth, Bob Eadie and Debbie Helmlinger

Members absent: Nora Sharp-McGee

Persons in attendance: 15

Motion by V. Beckwith, supported by D. Gibson to approve the March 11 and the February 5, 2024 minutes as written

Motion Carried by Voice Vote

Public Comment:

Opened: 6:05

Closed: 6:07

PUBLIC HEARING:

- 1. 000-14-08-477-006-01**
212 W. Grove Ave.
Daniel Lukasik Variance

DISCUSSION:

Suzanne Peterson at 218 Grove St. stated that Mr. Lukasik could have build anywhere on his property but he chose to build and infringe on his neighbors.

Mr. VanPoperin read Mr. Lukasik's waiver of liability agreement.

Ms. Fruth stated that it was not clear that the plan submitted for a building permit matches the plans for the actual building that was put on the property.

Motion by R. Fruth, supported by D. Gibson to move forward with the 4 criteria.

Motion Carried by Voice Vote

Motion by R. Eadie, supported by R. Fruth that strict compliance with the standard would unreasonably prevent the landowner from using the property for a permitted use or would render conformity necessarily burdensome.

0 Ayes:

5 Nays: K. VanPoperin, R. Fruth, V. Beckwith, D. Gibson and R. Eadie

Motion Denied

Motion by K. VanPoperin, supported by R. Fruth that the particular request, or a lesser relaxation of ordinance standard, would provide substantial justice to the landowner and neighbors

0 Ayes:

5 Nays: V. Beckwith, K. VanPoperin, R. Fruth, D. Gibson and R. Eadie

Motion Denied

Motion by K. VanPoperin, supported by D. Gibson that the plight is due to unique circumstances of property and is not shared by neighboring properties in the same zone.

0 Ayes:

5 Nays: K. VanPoperin, R. Fruth, V. Beckwith, D Gibson and R. Eadie

Motion Denied

Motion by K. VanPoperin, supported by V. Beckwith that the problem is not self-created.

0 Ayes:

5 Nays: K. VanPoperin, V. Beckwith, R. Eadie, D. Gibson and R Fruth

Motion Denied

2. 2. 000-09-33-278-003-00
9 Shady Lane
Kyle Klausner Variance

Public Comment:

Opened: 7:14

Closed: 7:19

DISCUSSION:

Kyle explained that the original existing structure was demoed because they found there was leakage that had been going on for a while and the house was not structurally sound.

Mr. VanPoperin asked if there was any fire or mold on the property and Mr. Klausner answered no.

Mr. Klausner stated that the property is very unique and the engineered drawing advised that he would need to install helical piers and he was going to one up that with cement footings.

Mrs. Helmlinger stated that since the property borders the Ballard creek the drain commissioner stated there was a need for several easements.

Jim Miller from 49 Shady Lane stated that he felt Mr. Klausner was doing everything right and he would agree with him moving forward with his plans.

Mr. Chambers stated that the property is defined as legally non-conforming.

Mr. VanPoperin stated that he wants to table the variance for Mr. Klausner for 30 days to give Mr. Klausner time to address the easements that are required.

Motion by K. VanPoperin, supported by V. Beckwith to table the Variance for property 000-09-33-278-003-00 for 30 days to provide Mr. Klausner the proper time to arrange for the easements required and come back before the Zoning Board of Appeals.

Motion Carried by Voice Vote

Motion by K. VanPoperin, supported by R. Fruth to adjourn the meeting at 7:54 PM

Motion Carried by Voice Vote

Meeting Adjourned: 7:54 PM

